

REMARKS

This Request for Reconsideration is offered in response to the Office Action of December 15, 2004.

The Office Action rejected Claims 18-21 under 35 U.S.C. §102(e) as being anticipated by the Johnson references (U.S. Patent No. 6,174,397 and U.S. Patent No. 6,321,423).

However, it is respectfully noted that the James Johnson of the two cited references is the same James Johnson who is an inventor of the present application. It is therefore respectfully submitted that the Johnson references are not available under 35 U.S.C. §102(e) which requires the invention being described in a patent application or patent filed "by another". It is respectfully submitted that all necessary information can be found on the face of the cited references and that no declarations are required in this regard.

It is therefore respectfully submitted that the rejections under 35 U.S.C. §102(e) have been overcome.

In view of the above, each of the claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to early issue.

Respectfully submitted,



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